

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:15-CV-581-MOC-DCK**

BOBBY JO ROSINBAUM, and)
MORGAN WILLIAM ROBERT,)
Plaintiffs,)
v.)
FLOWERS FOODS, INC., and)
FRANKLIN BAKING CO., LLC,)
Defendants.)
ORDER

THIS MATTER IS BEFORE THE COURT on “Defendants’ Consent Motion To Stay Briefing On Plaintiffs’ Motion For Conditional Certification And To Toll Temporarily The Statute Of Limitations For Putative FLSA Opt-In Plaintiffs” (Document No. 34) filed March 16, 2016. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, and noting consent of the parties, the undersigned will grant the motion.

IT IS, THEREFORE, ORDERED that:

1. “Defendants’ Consent Motion To Stay Briefing On Plaintiffs’ Motion For Conditional Certification And To Toll Temporarily The Statute Of Limitations For Putative FLSA Opt-In Plaintiffs” (Document No. 34) is **GRANTED**.

2. Further briefing and decision on “Plaintiffs’ Motion for Conditional Certification And Judicial Notice” (Document No. 22) is **STAYED** until such time as this Court has ruled on Defendants’ pending Motion to Transfer Venue (Document No. 19).

3. The statute of limitations under the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201, shall be tolled for putative opt-in Plaintiffs from the date when Plaintiffs filed their “...Motion for Conditional Certification...” (Document No. 22), March 7, 2016, until such time as this Court has ruled on “Defendants’ Motion to Transfer Venue” (Document No. 19).

SO ORDERED.

Signed: March 21, 2016



David C. Keesler
United States Magistrate Judge
